

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

In re:

Case No.: 6:11-bk-12028-KSJ

MATTHEW M. KING,

Debtor.

\_\_\_\_\_ /

**Chapter 13 Plan**

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**First Amended Chapter 13 Plan**

COMES NOW, the Debtor and files this First Amended Chapter 13 Plan. The projected disposable income of the Debtor is submitted to the supervision and control of the Chapter 13 Standing Trustee, and the Debtor shall pay the following sums to the Chapter 13 Standing Trustee:

**PLAN PAYMENTS**

<b><u>Payment Number</u></b>	<b><u>Months of Plan</u></b>	<b><u>Amount of Plan Payment</u></b>
1-60	September 14, 2011 through August 14, 2016	\$3,174.00

The Debtor shall pay by **money order**, **cashier's check** or **wage deduction**, to **Laurie K. Weatherford, Chapter 13 Standing Trustee, P.O. Box 1103, Memphis, Tennessee 38101-1103**. The Debtor's name and case number must be indicated clearly thereon and received by the due dates for payments established by Court Order.

**PAYMENT OF CLAIMS THROUGH THE PLAN**

**Attorney Fees**

<b><u>Attorney Name</u></b>	<b><u>Claim Amount</u></b>	<b><u>Payment Amount</u></b>	<b><u>Payment Numbers</u></b>
Richard W. Hennings, Esquire	\$ 1,500.00	\$ 100.00	1-15
Richard W. Hennings, P.A.		\$ 0.00	16-60

**Priority Claims**

The fees and expenses of the Trustee shall be paid over the life of the Plan at the rate allowed as governed by the guidelines of the United States Trustee (currently at 10% for all payments) and:

**Priority Claims**

<b><u>Name of Creditor</u></b>	<b><u>Claim Amount</u></b>	<b><u>Payment Amount</u></b>	<b><u>Payment Numbers</u></b>
N/A			

**Secured Claims**

<b><u>Name of Creditor</u></b>	<b><u>Claim Amount</u></b>	<b><u>Payment Amount</u></b>	<b><u>Payment Numbers</u></b>
HomeBanc (Ongoing mortgage payments on the Debtor's primary residence that continue after the Plan is completed and pursuant to the applicable Note and Mortgage)	\$582,000.00 est.	\$2,286.53	1-60
Insight Financial (2007 Chevrolet Tahoe)	\$ 19,000.00 est. 5.25% interest	\$ 425.00 \$ 6.91 \$ 0.00	1-50 51 52-60

**Secured Arrearage**

<b><u>Name of Creditor</u></b>	<b><u>Claim Amount</u></b>	<b><u>Payment Amount</u></b>	<b><u>Payment Numbers</u></b>
N/A			

**Secured Gap Payments**

<b><u>Name of Creditor</u></b>	<b><u>Claim Amount</u></b>	<b><u>Payment Amount</u></b>	<b><u>Payment Numbers</u></b>
HomeBanc (Ongoing mortgage payments on the Debtor's primary residence that continue after the Plan is completed and pursuant to the applicable Note and Mortgage)	\$ 2,286.53	\$ 38.10 \$ 38.63	1-59 60

**Property to Be Surrendered**

<b><u>Name of Creditor</u></b>	<b><u>Property Address or Collateral</u></b>
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\*Note: Only the Debtor's non-filing spouse is responsible for the debt owed to the following creditors and relative to the following properties:

Chase Home Finance	935 Belle Oak Drive, Leesburg, Florida
SunTrust Mortgage, Inc.	2948 Tangerine Court #41A, Leesburg, Florida

### **Valuation of Security**

<b><u>Name of Creditor</u></b>	<b><u>Claim Amount</u></b>	<b><u>Payment Amount</u></b>	<b><u>Payment Numbers</u></b>
Capital City Bank	\$130,427.40	Pro Rata	

(The Debtor intends to file a Motion for an Order Stripping the Second Mortgage Lien.)

### **Executory Contracts**

The following Executory Contracts are assumed: N/A

The following Executory Contracts are rejected: N/A

**Unsecured Creditors:** Unsecured creditors, whose claims are allowed, shall receive a pro rata share of the balance of the funds remaining after payments to Priority and Secured Creditors are made. Further, pursuant to Order of this Court, income tax refunds received during this case, if any, will also be paid to the general unsecured creditors through the Plan unless the Debtor has permission from the Trustee or the Court to retain the applicable refund. The dividend to the unsecured creditors will be determined at Confirmation.

Date: August 25, 2011

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing First Amended Chapter 13 Plan is being served by United States Regular Mail, postage prepaid, or by CM/ECF electronic transmission, as may be applicable, to all creditors and interested parties, as listed on the Court Matrix, on August 25, 2011.

Respectfully submitted,

/s/ Richard W. Hennings, Esquire

Richard W. Hennings, P.A.

205 North Joanna Avenue

Tavares, Florida 32778-3217

Telephone: (352) 343-3335

Facsimile: (352) 343-5458

Florida Bar No. 0192633

Attorney for the Debtor

Label Matrix for local noticing  
113A-6  
Case 6:11-bk-12028-KSJ  
Middle District of Florida  
Orlando  
Thu Aug 25 17:34:04 EDT 2011

IRS  
Centralized Insolvency Operations  
P.O. Box 7346  
Philadelphia, PA 19101-7346

AT&T Universal Card  
PO Box 182564  
Columbus, OH 43218-2564

BAC Home Loans Servicing  
PO Box 650070  
Dallas, TX 75265-0070

Bank of America  
PO Box 851001  
Dallas, TX 75285-1001

Capital One Bank  
PO Box 71083  
Charlotte, NC 28272-1083

CitiBank  
PO Box 653097  
Dallas, TX 75265-3097

FIA Card Services, NA as successor in interest  
Bank of America NA and MBNA America Bank  
PO Box 15102  
Wilmington, DE 19886-5102

GM Business Card  
PO Box 15153  
Wilmington, DE 19886-5153

Internal Revenue Service  
Post Office Box 7346  
Philadelphia PA 19101-7346

Florida Dept of Labor and Security  
Hartman Building, Suite 307  
2012 Capital Circle, Southeast  
Tallahassee, FL 32399-6583

Matthew M. King  
PO Box 1030  
Fruitland Park, FL 34731-1030

(p)ADVANTA  
700 DRESHER RD  
HORSHAM PA 19044-2206

(p)BB AND T  
PO BOX 1847  
WILSON NC 27894-1847

Capital City Bank  
PO Box 900  
Tallahassee, FL 32302-0900

Chase Home Finance  
PO Box 9001871  
Louisville, KY 40290-1871

Discover Card  
PO Box 71084  
Charlotte, NC 28272-1084

Florida Department of Revenue  
Bankruptcy Unit  
Post Office Box 6668  
Tallahassee FL 32314-6668

HomeBanc  
PO Box 8068  
Virginia Beach, VA 23450-8068

Lake County Tax Collector  
Attn: Bob McKee  
Post Office Box 327  
Tavares FL 32778-0327

Florida Dept of Revenue  
P.O. Box 6668  
Tallahassee, FL 32314-6668

Rialto Capital Advisors, LLC  
c/o W. Glenn Jensen  
P.O. Box 6507  
Orlando, FL 32802-6507

American Express  
PO Box 360002  
Fort Lauderdale, FL 33336-0002

BB&T Item Processing Ctr  
PO Box 580048  
Charlotte, NC 28258-0048

Capital City Bank  
c/o Kyle D. Phelps  
304 E. Tenn St.  
Tallahassee, FL 32301

CitiBank  
PO Box 183051  
Columbus, OH 43218-3051

FIA CARD SERVICES, N.A.  
PO Box 15102  
Wilmington, DE 19886-5102

G Family Corporation  
c/o Benjamin M. Boylston  
Stone & Gerken, P.A.  
4850 N. Highway 19A  
Mount Dora, FL 32757-2008

Insight Financial  
PO Box 4900  
Orlando, FL 32802-4900

RL Regi Florida, LLC  
c/o Rialto Capital Advisors  
700 W 107th Avenue  
Suite 200  
Miami, FL 33172-3138

Regions Bank	Ro Mac Lumber & Supply, Inc.	SunTrust Mortgage, Inc.
PO Box 2224	700 E. Main Street	PO Box 79041
Birmingham, AL 35246-0026	Leesburg, FL 34748-5392	Baltimore, MD 21279-0041

(p)US BANK	Laurie K Weatherford +	Richard W Hennings +
PO BOX 5229	Post Office Box 3450	Richard W Hennings PA
CINCINNATI OH 45201-5229	Winter Park, FL 32790-3450	205 North Joanna Avenue
		Tavares, FL 32778-3217

David J Lienhart +  
Roetzel & Andress LPA  
420 South Orange Avenue  
CNL II - 7th Floor  
Orlando, FL 32801-3313

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Advanta Bank Corp	BB&T	(d)Branch Banking & Trust Co.
PO Box 8088	PO Box 1847	c/o Lisa I. Moberly
Philadelphia, PA 19101-8088	Wilson, NC 27894	200 West 2nd Street
		3rd Floor Legal
		Winston Salem, NC 27101

US Bank  
PO Box 790408  
Saint Louis, MO 63179-0408

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Karen S. Jennemann	End of Label Matrix	
Orlando	Mailable recipients	36
	Bypassed recipients	1
	Total	37